
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 286-136, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) Any person who is convicted of violating section 286-
4 102, 286-122, 286-130, 286-131, 286-132, 286-133, or 286-134
5 shall be subject to a minimum fine of \$500 and a maximum fine of
6 \$1,000, or imprisoned not more than one year, or both, if the
7 person has two or more prior convictions for the same offense in
8 the preceding five-year period. The court may also order any
9 vehicle owned by the person convicted of violating section 286-
10 102 or 286-132 if the person has two or more prior convictions
11 for the same offense in the preceding five-year period to be
12 immobilized at the address at which the vehicle is registered
13 for a period not to exceed one hundred eighty days, at the
14 registered owner's expense, by a wheel immobilization device
15 that can be released only by the police; provided that, if
16 immobilization is ordered by the court, the registered owner of
17 the vehicle ordered to be immobilized shall surrender the number
18 plates issued to the vehicle pursuant to chapter 249 to the



1 director of finance of the county in which the vehicle is
2 registered who shall retain the number plates as long as they
3 are valid. At the end of the immobilization period ordered by
4 the court, the police shall release the wheel immobilization
5 device and the number plates shall be returned to the registered
6 owner by the director of finance."

7 SECTION 2. Section 291-4.6, Hawaii Revised Statutes, is
8 amended to read as follows:

9 " ~~[+]~~§291-4.6~~[+]~~ **Driving after license suspended or denied**
10 **for noncompliance with an order of support; penalties.** (a) No
11 person whose driver's license has been suspended, denied, or
12 otherwise restricted, nonrenewed, nonreinstated, nonrestored,
13 revoked, or terminated, pursuant to section 576D-13 shall
14 operate a motor vehicle upon the public streets, roads, or
15 highways of this State while the person's license remains
16 suspended or denied.

17 (b) Any person convicted of violating this section shall
18 be sentenced as follows:

19 (1) For a first offense, or any offense not preceded
20 within a five-year period by a conviction under this
21 section:



1 (A) A term of imprisonment at least three consecutive
2 days but not more than thirty days;

3 (B) A fine not less than \$250 but not more than
4 \$1,000; and

5 (C) License suspension or denial shall continue until
6 written authorization of compliance is issued by
7 the child support enforcement agency, the office
8 of child support hearings, or the family court;
9 and

10 (2) For an offense which occurs within five years of a
11 prior conviction under this section:

12 (A) Thirty days' imprisonment;

13 (B) A fine of \$1,000; [~~and~~]

14 (C) License suspension or denial shall continue until
15 written authorization of compliance pursuant to
16 section 576D-13 [~~is~~] issued by the child
17 support enforcement agency, the office of child
18 support hearings, or the family court~~[-]~~; and

19 (D) At the discretion of the court, immobilization of
20 any vehicle owned by the person at the address at
21 which the vehicle is registered for a period not
22 to exceed one hundred eighty days, at the



Report Title:

Vehicle Immobilization; Unlicensed Drivers;

Description:

Allows the court to require the immobilization of a motor vehicle owned by an individual convicted of driving without a license or driving with a canceled, suspended, or revoked license or a vehicle owned by an individual who is not in compliance with an order of paternity or child support by means of a wheel immobilization device for a period not to exceed 180 days. Requires the surrender of number plates. Provides for the removal of wheel immobilization device and return of number plates after the court ordered immobilization period is completed.

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